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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,032	12/21/2001	Jay Dee Krull	1528.024US1	5176
38933	7590	08/21/2006	EXAMINER	
GARMIN LTD. C/O GARMIN INTERNATIONAL, INC. ATTN: Legal - IP 1200 EAST 151ST STREET OLATHE, KS 66062			CAMBY, RICHARD M	
			ART UNIT	PAPER NUMBER
			3661	
DATE MAILED: 08/21/2006				

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/032,032
Filing Date: December 21, 2001
Appellant(s): KRULL ET AL.

David L. Terrell
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 13, 2006 appealing from the Office action mailed February 3, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct. The amendment after final filed March 21, 2006 has been entered.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,654,908

Yokoyama

8-1997

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 and 28-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama '908.

The patent to Yokoyama discloses an electronic diary IO(PDA) that has addresses.

As shown in figure 10 the device finds an address in step 108 and gets the present position in step 103 from the present position-detecting unit 53, which is a GPS unit. In regard to claim 14 as shown in Figure 8 steps 26-30 the navigational apparatus combines the address from the PDA with the GPS coordinates to access an electronic map and display route data (see Column 5, lines 30-50 and column 7, lines 25-55). The display screen 12 has touch pen 18 that can be placed on a cursor. Column 8, lines 25-40, disclose voice guidance and a cursor indicating position and direction of travel.

Column 8, lines 60-65 discloses creating waypoints from the address and GPS information. The patent to Yokoyama lacks that the GPS capabilities are within the PDA device. This combination of devices is considered obvious in light of the ability of technology to shrink electronics and provide more in a small space and cut down on communication costs. The examiner feels that there is motivation for combining the devices and providing GPS capabilities in one device in light of technology. He also feels that since old technology requires 2 devices because of space limitations that this

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does not teach away from advancement. The claims have still failed to define that the address book information can be obtained from another device and stored in the PDA.

(10) Response to Argument

The appellant has argued with regard to claims 1 and 7 that there is no motivation to combine the electronic diary 10 of Yokoyama, which is a hand held device, with the separate vehicle mounted navigational device 50 that has GPS capabilities. The examiner feels that the knowledge of one of ordinary skill in the art that electronics can be put in increasingly smaller spaces due to advancements in the computer chip. The prior art device functions in the same manner as the appellant's device but it does it in 2 separate devices that communicate with each other. The 2 devices would obviously have been combined into 1 in order to simplify the devices communication problems and to provide user convenience. For example the television and VCR or DVD at first were 2 separate devices and were then combined when the electronics could be made small enough to combine the 2 devices. These advancements are made when the electronics become small enough to combine the devices. In regard to appellant's argument concerning claim 14 the examiner feels that once the devices are combined the map would be displayed on the single hand held device. It is noted that map displays on hand held GPS devices are old and well known in the art. With regards to the appellant's arguments concerning claim 28 the device gets the electronic map data from the device 50.

(11) Related Proceeding(s) Appendix

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No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


Richard Canby

Conferees:

Thomas Black 

Gary Chin 